

Title 9

PUBLIC PEACE, SAFETY AND MORALS

Chapters:

9-1 Disturbing the Peace

9-2 Concealed Weapons

9-2 Curfew

9-4 Civil Defense

9-5 Fireworks

Chapter 9-1

DISTURBING THE PEACE

Sections:

9-1-1 Disturbing the Peace

9-1-2 Violations; Penalty

9-1-1 Disturbing the Peace. If any person within the limits of the Town of Alberton shall willfully and intentionally or maliciously and unnecessarily disturb the peace and quiet of any street, neighborhood, family or person, by loud, tumultuous or unusual noises, vocal or instrumental, or shall threaten, quarrel, scold, halloo, or shall provoke or commit assault and battery, or by any other means whatever disturb the peace and quiet of any street, neighborhood, family or person, or shall curse or swear or utter obscene, profane or vulgar language, or commit and indecent or lewd act, in any public place or in view of any person or persons, every such person shall be deemed as disturbing the peace.

9-1-2 Violations; Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as set forth in Section 1-7 of this Code.

Chapter 9-2

CONCEALED WEAPONS AND FIREARMS

Sections:

- 9-2-1 Carrying a Concealed Weapon
- 9-2-2 Discharge of Firearms Prohibited
- 9-2-3 Exceptions; Permits
- 9-2-4 Violation; Penalty

9-2-1 Carrying a Concealed Weapon. It shall be unlawful for any person, within the corporate limits of the Town of Alberton, to carry or bear concealed upon his person, any dirk, dagger, pistol, revolver or other deadly weapon, unless a state permit is obtained.

9-2-2 Discharge of Firearms Prohibited. It shall be unlawful for any person to discharge firearms (pistol, rifle, air rifle or pistol, BB guns) of any kind or description within the limits of the Town of Alberton; provided, however, that this shall not apply to police officers in the discharge of their duties.

9-2-3 Exceptions; Permits. Anytime the Town Council may, upon application, grant permits to shooting galleries, gun clubs and others for shooting within the municipal limits in fixed locations and under fixed rules. Such permits shall be in writing attested by the Clerk conforming to such requirements as the Town Council shall demand, and the permit thus issued shall be subject to revocation at any time by action of the Town Council.

9-2-4 Violations; Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as set forth in Section 1-7 of this Code.

Deleted Chapter 9-3 Intoxicated Persons, 9-4 Prohibiting Prostitution, 9-5 Assistance to Prisoners, 9-6 Destruction of Property, 9-7 Unlawful Conduct. Covered by Law Enforcement. 10/26/94.

Chapter 9-3

CURFEW

Sections:

- 9-3-1 Age Restrictions
- 9-3-2 Exceptions
- 9-3-3 Parent or Guardian Liability
- 9-3-4 Violation of Ordinance

9-3-1 Age Restrictions. It shall be unlawful for any parent, or guardian or person having custody of a minor under the age of eighteen (18) years to permit such minor to go about in a vehicle, on foot, or otherwise, upon any street, avenue, road, alley or in any public place within the Town of Alberton between the hours of ten o'clock (10:00) P.M. on Sunday, Monday, Tuesday, Wednesday, and Thursday, or the hour of one o'clock a.m. (1:00) on Friday and Saturday, and the hour of six o'clock (6:00) A.M. Also that the hour of one o'clock a.m. (1:00) shall be applicable to the going about of children less than eighteen (18) years on the day preceding any legal holiday and shall be similarly applicable during the months of June, July, and August and December 23 to January 1 inclusive.

9-3-2 Exceptions. The provisions of this ordinance shall not apply to any minor going to or returning from his or her place of employment nor to any minor returning from any school activity nor to any minor accompanied by his or her parents, guardian or other adult person having the care or custody of such minor or where such minor is engaged upon an errand or business directed by his or her parent, guardian or adult person having his or her care or custody, provided, however, that any such minor embraced with the provisions of this section must have written permission from the parent, guardian or adult person having his or her care or custody and shall not unnecessarily linger or loiter at anytime while engaged or occupied as in this section above provided.

9-3-3 Parent of Guardian Liability. It shall be the duty of Peace Officers to apprehend and take into custody any minor found in violation of this ordinance. The Peace Officer shall thereupon notify said parent, guardian or adult person having his or her care or custody and such parent, guardian or adult person having his or her care or custody cannot be located, said minor shall be remanded to the custody of the County Juvenile Officer.

9-3-4 Violation of Ordinance. For a first violation of this ordinance the minor shall be released to the custody of such parent, guardian or adult person having his or her

care or custody, upon written promise that such parent, guardian or adult person having his or her care or custody will assume the responsibility that said child will comply with the provisions of this ordinance. The Officer shall keep a record of such violations.

Thereafter, any minor in apparent violation of this ordinance shall be taken to see the Juvenile Officer, released to the custody of the parent; guardian or adult person shall be guilty of a violation of this ordinance and punishable hereunder.

*Amended Chapter 9-3 to Chapter 9-8 because of deletions number of chapters changed.
Changed our Ordinance on curfew to follow Superiors. 10/26/94.*

Chapter 9-4

CIVIL DEFENSE

Sections:

- 9-4-1 Organization
- 9-4-2 Actions of the Mayor
- 9-4-3 Director and Mayor

9-4-1 Organization. The County of Mineral and Town of Alberton Civil Defense Plan is hereby approved. This plan provides for an integrated Town-County organization for Civil Defense and for operations during periods of emergency, and thereby constitutes the most effective and efficient means of meeting the Civil Defense needs of the Town of Alberton and its citizens, by making maximum use of the existing agencies and capabilities of local government within Mineral County, supported by volunteers and non-governmental personnel and resources, to prevent or minimize loss of life and property that could be caused by enemy attack or other catastrophe or disaster affecting the Town of Alberton. The Mayor of the Town of Alberton is hereby authorized to approve such revisions of said Civil Defense Plan as may be made, from time to time, if he deems the revisions to be reasonably necessary to meet the Civil Defense needs of the Town of Alberton and its citizens.

9-4-2 Actions of the Mayor. The Mayor of the Town of Alberton and the Board of County Commissioners of Mineral County shall, during periods of emergency caused by enemy attack or other catastrophe or disaster affecting the Town of Alberton, jointly direct and control the operations of the Town-County organization for Civil Defense established in said Civil Defense Plan. The Mayor is hereby authorized and directed to take, during such periods of emergency, such actions as are reasonably necessary to prevent or minimize loss of life and property, in cooperation with said Board of County Commissioners and the Civil Defense Director of Mineral County.

9-4-3 Director and Mayor. The County Civil Defense Director, under policy guidance of the Board of County Commissioners, in coordination with the Mayor, is responsible to conduct the following day-to-day activities: recommending actions, preparing budget requests, training, assignment of personnel, licensing, marking and stocking of public shelter, preparation of program paper, administration of Civil Defense Program, coordination of the program with all departments, development of Civil Defense plan and supporting documents for approval by the Mayor and Commissioners of Mineral County. The Civil Defense Director will act as Chief of Staff to the executives of the County and Town.

Chapter 9-5

FIREWORKS

Sections:

- 9-5-1 Fireworks Prohibited
- 9-5-2 Approval for Sale
- 9-5-3 Fireworks Permitted
- 9-5-4 Public Displays Permitted
- 9-5-5 Sale of Fireworks
- 9-5-6 Use of Fireworks
- 9-5-7 Unlawful Usage of Fireworks
- 9-5-8 Violations; penalty

9-5-1 Fireworks Prohibited. It shall be unlawful to possess , offer for sale, expose for sale, sell, use or explode any fireworks within the town limits except as hereinafter provided.

9-5-2 Approval for Sale. All parties must have prior approval from the Town Council and the Fire Chief before sale of fireworks within the town limits will be allowed.

9-5-3 Permissible Fireworks. Permissible fireworks shall be those not prohibited by law.

9-5-4 Public Displays Permitted. The Mayor or the Town Council may permit the public display of fireworks to be handled by a competent operator to be approved by the State Fire Marshall or by the Town Council, and so located, discharged, or fired as in the opinion of the chief of the fire department, after proper inspection, shall not be hazardous to property or endanger any person or persons. Applications for such permits shall be made in writing at least fifteen (15) days in advance of the date of the display.

9-5-5 Sale of Fireworks. It shall be unlawful to offer for sale at retail within the town, fireworks of any description before the 24th of June or after the 5th day of July. It shall be unlawful for any person under the age of eighteen (18) years to sell or offer to sell fireworks.

9-5-6 Use of Fireworks. It shall be unlawful to use or explode any fireworks within the town limits, except as provided in section 9-5-3, before the 24th day of June or after the 5th day of July; or between the hours of ten o'clock p.m. and seven o'clock a.m. of any days between the 24th day of June and the 5th day of July, inclusive, except that on the 4th day of July such use is permitted until the hour of midnight. In addition it shall be lawful to use fireworks at midnight on New Year's Eve from midnight on the evening of

December 31 through to the following thirty (30) minutes into the early morning of January 1.

9-5-7 Unlawful usage of Fireworks. It shall be unlawful to throw firecrackers or other fireworks into any public streets or alleys, Into or at automobiles or other conveyances, at or on persons or domestic animals, or to handle or use such fireworks in such a manner as to injure or damage persons or property of others.

9-5-8 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be punishable as provided in section 1-7 of this code.

Amended: Fireworks ordinances 9-5-1 though 9-5-8 enacted 11/6/97 Resolution #161

